

*REMARKS/ARGUMENTS**The Pending Claims*

Claims 14-16, 27-29, 46-62, 67-71, and 79-95 are pending and are directed to an isolated polypeptide up to 12 amino acids in length comprising an amino acid sequence selected from the group consisting of SEQ ID NO: 1 and 14-19 (claims 14-16, 27-29, 79, and 80), as well as methods of using the isolated polypeptide (claims 46-62, 67-71, and 81-95).

Amendments to the Claims

Claim 17 and 20-26 have been canceled. No new matter has been added by the amendments to the claims.

Summary of the Office Action

The Office indicates that claims 14-16, 27-29, 79, and 80 are allowable.

The Office objects to claims 17 and 20-26. Reconsideration of the objections is hereby requested.

Discussion of the Claim Objections

The Office contends that claims 17 and 20-26 recite inherent properties of the sequence in the base claim, thereby failing to further limit the base claim. In an effort to advance prosecution, claims 17 and 20-26 have been canceled. In view of the cancellation of the claims, the objections to claims 17 and 20-26 are moot and should be withdrawn.

Request for Rejoinder

Claims 46-62, 67-71, and 81-95 have been labeled as withdrawn as directed to a non-elected invention. Applicants note that the elected claims (i.e., claims 14-16, 27-29, 79, and 80) are related to the withdrawn claims (i.e., claims 46-62, 67-71, and 81-95) as product and process of using the product, respectively. As set forth in the Office Action dated December 18, 2008 (see pages 6-7) and in accordance with MPEP § 806.05(f), when the Office requires restriction between product and process claims and Applicants elect claims directed to the product, which claims are subsequently found to be allowable, withdrawn process claims that

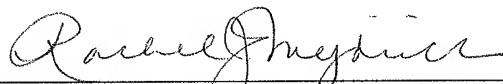
depend from or otherwise include all the limitations of the allowable product claims will be rejoined in accordance with the provisions of MPEP § 821.04.

Since the Office has indicated that claims 14-16, 27-29, 79, and 80 are allowable, Applicants request that the withdrawn process claims (i.e., claims 46-62, 67-71, and 81-95) be rejoined and considered.

Conclusion

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned agent.

Respectfully submitted,



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